

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

JEYAKUMAR RATHINAM, et al.,

Plaintiffs,

-v-

ASHOK SPIRITUAL HEALING CENTER,

Defendant.

Case No. 3:14-cv-103

Judge Thomas M. Rose

**ENTRY AND ORDER OVERRULING ANNAMALAI'S MOTION FOR A
PRELIMINARY INJUNCTION (Doc. #14)**

Now before the Court is a Motion for a Preliminary Injunction (doc. #14) filed by Annamalai Annamalai ("Annamalai"). Annamalai was admitted to this case as a Plaintiff Intervenor on June 3, 2014. (Doc. #8.)

Intervener Defendant Lloyd Whitaker in his capacity as Trustee of the Estate of Hindu Temple and Community Center of Georgia, Inc. (the "Trustee") has opposed Annamalai's Motion, and Annamalai has replied to the Trustee's opposition. This matter is, therefore, ripe for decision.

Annamalai specifically seeks to restrain the Court of Common Pleas of Montgomery County, Ohio from moving forward with any actions pertaining to the appointment of a receiver regarding the Paru Tower located at 34 North Main Street in Dayton, Ohio. Annamalai specifically identifies the Court of Common Pleas of Montgomery County, Ohio cases 2013 CV 04016 and 2013 CV 03168.¹

¹The Court notes that the Trustee reports that Annamalai is a party to both of the state court cases.

However, this Court must abstain from exercising jurisdiction over Annamalai's injunction remedy because doing so would interfere with the Court of Common Pleas of Montgomery County, Ohio's prior jurisdiction over the Paru Tower. *See Princess Lida v. Thompson*, 305 U.S. 456, 466 (1939). Therefore, Annamalai's Motion for a Preliminary Injunction (doc. #14) is overruled because this Court does not have jurisdiction to entertain it.

Annamalai also specifically seeks to restrain any parties in the state court cases from taking any actions related to the appointment or actions of a receiver. However, if the Court of Common Pleas of Montgomery County, Ohio chooses to appoint a receiver, then that receiver must take whatever actions it deems necessary. This remedy sought by Annamalai must also be overruled.

DONE and **ORDERED** in Dayton, Ohio this Twenty-Third Day of July, 2014.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record

Annamalai Annamalai a/k/a Sri Selvam Siddhar at her/his last known address